

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FAB HABITAT CORPORATION,

Plaintiff,

v.

HOUSELIGHTS LLC and
SATISFYLOVE INC,

Defendants.

Civil Action No. 1:22-cv-02986-ALC

PROPOSED DISCOVERY PLAN**~~[PROPOSED]~~ DISCOVERY PLAN FOR JURISDICTIONAL DISCOVERY
PURSUANT TO ORDER 9/29/2023 (ECF No. 30)**

Pursuant to this Court's Order, dated September 29, 2023 (ECF No. 30) and conference on October 11, 2023 between counsel for Plaintiff, FAB HABITAT CORPORATION, and counsel for Defendants, HOUSELIGHTS LLC and SATISFYLOVE INC, (the "Parties") discussed and agreed to the following proposed discovery plan for the jurisdictional discovery permitted by the Order:

(1) Within two weeks upon the Courts' approval and entry of a plan, the ~~[PLAINTIFF]~~ **OR [PARTIES]** shall serve any discovery requests on the issue of whether Defendants transact business within New York sufficient for the exercise of specific jurisdiction under CPLR § 302(a)(1). The ~~[DEFENDANTS]~~ **OR [PARTIES]** shall respond to any such discovery requests within three weeks thereafter.

(2) Parties shall resolve any discovery disputes, however, if the process fails, the Parties shall timely file a joint letter-motion of no more than five pages explaining the nature of the dispute and requesting an informal conference.

(3) Once the Parties have resolved any discovery disputes by agreement of the Parties or by order of the Court, the ~~[PLAINTIFF]~~ OR [PARTIES] may serve third-party subpoenas within two weeks therefrom. Provided no Party moves for an extension of time to seek court intervention with service and/or compliance with such subpoenas, then within four weeks thereafter jurisdictional discovery shall close.

(4) Within thirty days of the close of jurisdictional discovery, Defendants may renew their motion for dismissal based on a lack of personal jurisdiction and/or failure to state a claim, and Plaintiff will have fourteen days to respond. Defendants may serve their reply seven days thereafter.

(5) Unless the Court orders otherwise, Parties engaged in settlement negotiations must pursue settlement and conduct jurisdictional discovery simultaneously. Parties should not assume that the Court will extend an existing deadline if settlement negotiations fail. Any application to modify or extend the dates herein shall be made by letter-motion filed on ECF, no later than two business days before the deadline.

Agreed to by:

Dated: October 12, 2023

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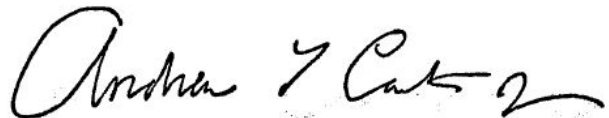
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SO ORDERED.

Dated: October 23, 2023
New York, New York



ANDREW J. CARTER, JR.
United States District Judge

Parties to file Joint Status Report on or before
December 12, 2023.

Jurisdictional discovery is limited to events occurring
prior to the filing of the complaint.